



Your business  
is our business.

REDACTED – FOR PUBLIC INSPECTION

7852 Walker Drive, Suite 200  
Greenbelt, Maryland 20770  
phone: 301-459-7590, fax: 301-577-5575  
internet: [www.jsitel.com](http://www.jsitel.com), e-mail: [jsi@jsitel.com](mailto:jsi@jsitel.com)

October 11, 2013

**By Hand Delivery**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**Re: WC Docket No. 10-90, WC Docket No. 11-42  
2013 ETC Annual Report of West River Cooperative Telephone Company  
Study Area Code 391689**

Dear Ms. Dortch:

On behalf of West River Cooperative Telephone Company “West River”, JSI files the attached confidential and redacted versions of the FCC Form 481 ETC annual reporting information pursuant to sections 54.313 and 54.422 of the Commission’s rules.<sup>1</sup> West River seeks confidential treatment under Protective Order for section 54.313(f)(2) financial information.<sup>2</sup> The redacted version is also being filed this date via the FCC’s Electronic Comment Filing System.

Please direct any questions regarding the filing to the undersigned.

Sincerely,

John Kuykendall  
JSI Vice President  
301-459-7590  
[jkuykendall@jsitel.com](mailto:jkuykendall@jsitel.com)

cc: Charles Tyler, Telecommunications Access Policy Division (two copies, confidential)

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<sup>1</sup> 47 C.F.R. §§ 54.313, 54.422.

<sup>2</sup> *Connect America Fund et al.*, WC Docket No. 10-90 *et al.*, Protective Order, DA 12-1857 rel. Nov. 16, 2012 (Protective Order). 47 C.F.R. § 54.313(f)(2).

<b>FCC Form 481 - Carrier Annual Reporting</b> <b>Data Collection Form</b>	<b>FCC Form 481</b> <b>OMB Control No. 3060-0986/OMB Control No. 3060-0819</b> <b>July 2013</b>
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<010> Study Area Code	391689
<015> Study Area Name	WEST RIVER COOPERATIVE TEL. CO.
<020> Program Year	2014
<030> Contact Name: Person USAC should contact with questions about this data	Jerry Reisenauer
<035> Contact Telephone Number: Number of the person identified in data line <030>	6052445211
<039> Contact Email Address: Email of the person identified in data line <030>	jreisenauer@sdplains.com

ANNUAL REPORTING FOR ALL CARRIERS	54.313 Completion Required	54.422 Completion Required
<100> Service Quality Improvement Reporting <span style="float: right;">(complete attached worksheet)</span>	<input type="checkbox"/>	<input type="checkbox"/>
<200> Outage Reporting (voice) <span style="float: right;">(complete attached worksheet)</span>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<210> <input checked="" type="checkbox"/> <-- check box if no outages to report		
<300> Unfulfilled Service Requests (voice) <span style="float: right;">(attach descriptive document)</span>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<310> Detail on Attempts (voice)	<input type="checkbox"/>	<input type="checkbox"/>
<320> Unfulfilled Service Requests (broadband)	<input type="checkbox"/>	<input type="checkbox"/>
<330> Detail on Attempts (broadband) <span style="float: right;">(attach descriptive document)</span>	<input type="checkbox"/>	<input type="checkbox"/>
<400> Number of Complaints per 1,000 customers (voice)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<410> Fixed <span style="float: right;">0.0</span>		
<420> Mobile		
<430> Number of Complaints per 1,000 customers (broadband)	<input type="checkbox"/>	<input type="checkbox"/>
<440> Fixed		
<450> Mobile		
<500> Service Quality Standards & Consumer Protection Rules Compliance <span style="float: right;">(check to indicate certification)</span>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<510> 391689sd510 <span style="float: right;">(attached descriptive document)</span>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<600> Functionality in Emergency Situations <span style="float: right;">(check to indicate certification)</span>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<610> 391689sd610 <span style="float: right;">(attached descriptive document)</span>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<700> Company Price Offerings (voice) <span style="float: right;">(complete attached worksheet)</span>	<input type="checkbox"/>	<input type="checkbox"/>
<710> Company Price Offerings (broadband) <span style="float: right;">(complete attached worksheet)</span>	<input type="checkbox"/>	<input type="checkbox"/>
<800> Operating Companies and Affiliates <span style="float: right;">(complete attached worksheet)</span>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<900> Tribal Land Offerings (Y/N)? <span style="float: right;">(if yes, complete attached worksheet)</span>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<1000> Voice Services Rate Comparability <span style="float: right;">(check to indicate certification)</span>	<input type="checkbox"/>	<input type="checkbox"/>
<1010> <span style="float: right;">(attach descriptive document)</span>	<input type="checkbox"/>	<input type="checkbox"/>
<1100> Terrestrial Backhaul (Y/N)? <span style="float: right;">(if not, check to indicate certification)</span>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<1110> <span style="float: right;">(complete attached worksheet)</span>	<input type="checkbox"/>	<input type="checkbox"/>
<1200> Terms and Condition for Lifeline Customers <span style="float: right;">(complete attached worksheet)</span>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Price Cap Carriers, Proceed to Price Cap Additional Documentation Worksheet**

Including Rate-of-Return Carriers affiliated with Price Cap Local Exchange Carriers

<2000>	(check to indicate certification)	<input type="checkbox"/>
<2005>	(complete attached worksheet)	<input type="checkbox"/>

**Rate of Return Carriers, Proceed to ROR Additional Documentation Worksheet**

<3000>	(check to indicate certification)	<input checked="" type="checkbox"/>
<3005>	(complete attached worksheet)	<input checked="" type="checkbox"/>

**(100) Service Quality Improvement Reporting  
Data Collection Form**

FCC Form 481

OMB Control No. 3060-0986/OMB Control No. 3060-0819

July 2013

<010>	Study Area Code	391689
<015>	Study Area Name	WEST RIVER COOPERATIVE TEL. CO.
<020>	Program Year	2014
<030>	Contact Name - Person USAC should contact regarding this data	Jerry Reisenauer
<035>	Contact Telephone Number - Number of person identified in data line <030>	6052445211
<039>	Contact Email Address - Email Address of person identified in data line <030>	jreisenauer@sdplains.com
<110>	Has your company received its ETC certification from the FCC?	(yes / no ) <input type="radio"/> <input checked="" type="radio"/>
	If your answer to Line <110> is yes, do you have an existing §54.202(a) "5	
<111>	year plan" filed with the FCC?	(yes / no ) <input type="radio"/> <input type="radio"/>

If your answer to Line <111> is yes, then you are required to file a progress report, on line <112> delineating the status of your company's existing § 54.202(a) "5 year plan" on file with the FCC, as it relates to your provision of voice telephony service.

<112> Attach Five-Year Service Quality Improvement Plan or, in subsequent years, your annual progress report filed pursuant to 47 C.F.R. § 54.313(a)(1). If your company is a CETC which only receives frozen support, your progress report is only required to address voice telephony service.

Name of Attached Document (.pdf)

Please check these boxes below to confirm that the attached PDF, on line 112, contains a progress report on its five-year service quality improvement plan pursuant to § 54.202(a). The information shall be submitted at the wire center level or census block as appropriate.

<113> Maps detailing progress towards meeting plan targets  
 <114> Report how much universal service (USF) support was received  
 <115> How (USF) was used to improve service quality  
 <116> How (USF) was used to improve service coverage  
 <117> How (USF) was used to improve service capacity  
 <118> Provide an explanation of network improvement targets not met in the prior calendar year.

<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

FCC Form 481  
OMB Control No. 3060-0986/OMB Control No. 3060-0819  
July 2013

[illegible]





FCC Form 481  
OMB Control No. 3060-0986/OMB Control No. 3060-0819  
July 2013

<010>	Study Area Code	391689
<015>	Study Area Name	WEST RIVER COOPERATIVE TEL. CO.
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<030>	Contact Name - Person USAC should contact regarding this data	Jerry Reisenauer
<035>	Contact Telephone Number - Number of person identified in data line <030>	6052445211
<039>	Contact Email Address - Email Address of person identified in data line <030>	jreisenauer@sdplains.com
<810>	Reporting Carrier	West River Cooperative Telephone Company
<811>	Holding Company	
<812>	Operating Company	

[illegible]

<b>(900) Tribal Lands Reporting Data Collection Form</b>		FCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013
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<010>	Study Area Code	391689
<015>	Study Area Name	WEST RIVER COOPERATIVE TEL. CO.
<020>	Program Year	2014
<030>	Contact Name - Person USAC should contact regarding this data	Jerry Reisenauer
<035>	Contact Telephone Number - Number of person identified in data line <030>	6052445211
<039>	Contact Email Address - Email Address of person identified in data line <030>	jreisenauer@sdplains.com

<910> Tribal Land(s) on which ETC Serves Standing Rock Sioux Indian Reservation and Cheyenne River Sioux Indian Reservation

<920> Tribal Government Engagement Obligation

391689sd920

Name of Attached Document (.pdf)

If your company serves Tribal lands, please select (Yes,No, NA) for each these boxes to confirm the status described on the attached PDF, on line 920, demonstrates coordination with the Tribal government pursuant to § 54.313(a)(9) includes:

- <921> Needs assessment and deployment planning with a focus on Tribal community anchor institutions;
- <922> Feasibility and sustainability planning;
- <923> Marketing services in a culturally sensitive manner;
- <924> Compliance with Rights of way processes
- <925> Compliance with Land Use permitting requirements
- <926> Compliance with Facilities Siting rules
- <927> Compliance with Environmental Review processes
- <928> Compliance with Cultural Preservation review processes
- <929> Compliance with Tribal Business and Licensing requirements.

Select (Yes,No, NA)
Yes
Yes
Yes
Yes
Yes
Yes
Yes
Yes



<b>(1100) No Terrestrial Backhaul Reporting Data Collection Form</b>	FCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013
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<1120> Please check this box to confirm no terrestrial backhaul options exist within the supported area pursuant to § 54.313(G)
 ☐

<1130> Please check this box to confirm the reporting carrier offers broadband service of at least 1 Mbps downstream and 256 kbps upstream within the supported area pursuant to § 54.313(G)
 ☐

<b>(1200) Terms and Condition for Lifeline Customers</b>		FCC Form 481
<b>Lifeline</b>		OMB Control No. 3060-0986/OMB Control No. 3060-0819
<b>Data Collection Form</b>		July 2013

<010>	Study Area Code	391689
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<030>	Contact Name - Person USAC should contact regarding this data	Jerry Reisenauer
<035>	Contact Telephone Number - Number of person identified in data line <030>	6052445211
<039>	Contact Email Address - Email Address of person identified in data line <030>	jreisenauer@sdplains.com

<1210> Terms & Conditions of Voice Telephony Lifeline Plans

Name of attached document (.pdf)

<1220> Link to Public Website

HTTP <http://www.sdplains.com/lifeline-and-link-up/>

"Please check these boxes below to confirm that the attached PDF, on line 1210, or the website listed, on line 1220, contains the required information pursuant to § 54.422(a)(2) annual reporting for ETCs receiving low-income support, carriers must annually report:

<1221> Information describing the terms and conditions of any voice telephony service plans offered to Lifeline subscribers, ☒

<1222> Details on the number of minutes provided as part of the plan, ☒

<1223> Additional charges for toll calls, and rates for each such plan. ☒

**(2000) Price Cap Carrier Additional Documentation**

**Data Collection Form**

*Including Rate-of-Return Carriers affiliated with Price Cap Local Exchange Carriers*

FCC Form 481

OMB Control No. 3060-0986/OMB Control No. 3060-0819

July 2013

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<039>	Contact Email Address - Email Address of person identified in data line <030>	jreisenauer@sdplains.com

**CHECK the boxes below to note compliance as a recipient of Incremental Connect America Phase I support, frozen High Cost support, High Cost support to offset access charge reductions, and Connect America Phase II support as set forth in 47 CFR § 54.313(b),(c),(d),(e) the information reported on this form and in the documents attached below is accurate.**

**Incremental Connect America Phase I reporting**

- <2010> 2nd Year Certification {47 CFR § 54.313(b)(1)}
- <2011> 3rd Year Certification {47 CFR § 54.313(b)(2)}


**Price Cap Carrier Receiving Frozen Support Certification {47 CFR § 54.312(a)}**

- <2012> 2013 Frozen Support Certification
- <2013> 2014 Frozen Support Certification
- <2014> 2015 Frozen Support Certification
- <2015> 2016 and future Frozen Support Certification


**Price Cap Carrier Connect America ICC Support {47 CFR § 54.313(d)}**

- <2016> Certification Support Used to Build Broadband

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**Connect America Phase II Reporting {47 CFR § 54.313(e)}**

- <2017> 3rd year Broadband Service Certification
- <2018> 5th year Broadband Service Certification
- <2019> Interim Progress Certification
- <2020> Please check the box to confirm that the attached PDF , on line 2021, contains the required information pursuant to § 54.313 (e)(3)(ii), as a recipient of CAF Phase II support shall provide the number, names, and addresses of community anchor institutions to which began providing access to broadband service in the preceding calendar year.
- <2021> Interim Progress Community Anchor Institutions


Name of Attached Document Listing Required Information

\_\_\_\_\_

**(3000) Rate Of Return Carrier Additional Documentation**

FCC Form 481

**Data Collection Form**

OMB Control No. 3060-0986/OMB Control No. 3060-0819

July 2013

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**CHECK the boxes below to note compliance on its five year service quality plan (pursuant to 47 CFR § 54.202(a)) and, for privately held carriers, ensuring compliance with the financial reporting requirements set forth in 47 CFR § 54.313(f)(2). I further certify that the information reported on this form and in the documents attached below is accurate.**

**Progress Report on 5 Year Plan**

<p>(3010) Milestone Certification {47 CFR § 54.313(f)(1)(i)} Please check this box to confirm that the attached PDF, on line 3012, contains the required information pursuant to § 54.313 (f)(1)(ii), as a recipient of CAF Phase II support shall provide the number, names, and addresses of community anchor institutions to which began providing access to broadband service in the preceding calendar year.</p>	<p>Name of Attached Document Listing Required Information</p>	<p><input type="checkbox"/></p>
<p>(3012) Community Anchor Institutions {47 CFR § 54.313(f)(1)(ii)} (3013) Is your company a Privately Held ROR Carrier {47 CFR § 54.313(f)(2)} (3014) If yes, does your company file the RUS annual report Please check these boxes to confirm that the attached PDF, on line 3017, contains the required information pursuant to § 54.313(f)(2) compliance requires:</p>	<p>Name of Attached Document Listing Required Information</p>	<p><input checked="" type="checkbox"/> (Yes/No) <input checked="" type="checkbox"/> (Yes/No)</p>
<p>(3015) Electronic copy of their annual RUS reports (Operating Report for Telecommunications Borrowers)</p>	<p></p>	<p><input checked="" type="checkbox"/></p>
<p>(3016) PDF of Balance Sheet, Income Statement and Statement of Cash Flows</p>	<p></p>	<p><input checked="" type="checkbox"/></p>
<p>(3017) If the response is yes on line 3014, attach your company's RUS annual report and all required documentation</p>	<p>Name of Attached Document Listing Required Information</p>	<p>391689sd3017</p>
<p>(3018) If the response is no on line 3014, Is your company audited?  If the response is yes on line 3018, please check the boxes below to confirm your submission, on line 3026 pursuant to § 54.313(f)(2), contains:</p>	<p></p>	<p><input type="checkbox"/> (Yes/No)</p>
<p>(3019) Either a copy of their audited financial statement; or (2) a financial report in a format comparable to RUS Operating Report for Telecommunications</p>	<p></p>	<p><input type="checkbox"/></p>
<p>(3020) PDF of Balance Sheet, Income Statement and Statement of Cash Flows</p>	<p></p>	<p><input type="checkbox"/></p>
<p>(3021) Management letter issued by the independent certified public accountant that performed the company's financial audit.  If the response is no on line 3018, please check the boxes below to confirm your submission, on line 3026 pursuant to § 54.313(f)(2), contains: Copy of their financial statement which has been subject to review by an independent certified public accountant; or 2) a financial report in a format comparable to RUS Operating Report for Telecommunications Borrowers,</p>	<p></p>	<p><input type="checkbox"/></p>
<p>(3022) Underlying information subjected to a review by an independent certified public accountant</p>	<p></p>	<p><input type="checkbox"/></p>
<p>(3023) Underlying information subjected to an officer certification.</p>	<p></p>	<p><input type="checkbox"/></p>
<p>(3024) PDF of Balance Sheet, Income Statement and Statement of Cash Flows</p>	<p></p>	<p><input type="checkbox"/></p>
<p>(3026) Attach the worksheet listing required information</p>	<p>Name of Attached Document Listing Required Information</p>	<p></p>

<b>Certification - Reporting Carrier Data Collection Form</b>	FCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013
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<039> Contact Email Address - Email Address of person identified in data line <030>	jreisenauer@sdplains.com

**TO BE COMPLETED BY THE REPORTING CARRIER, IF THE REPORTING CARRIER IS FILING ANNUAL REPORTING ON ITS OWN BEHALF:**

<b>Certification of Officer as to the Accuracy of the Data Reported for the Annual Reporting for CAF or LI Recipients</b>	
I certify that I am an officer of the reporting carrier; my responsibilities include ensuring the accuracy of the annual reporting requirements for universal service support recipients; and, to the best of my knowledge, the information reported on this form and in any attachments is accurate.	
Name of Reporting Carrier:	
Signature of Authorized Officer:	Date
Printed name of Authorized Officer:	
Title or position of Authorized Officer:	
Telephone number of Authorized Officer:	
Study Area Code of Reporting Carrier:	Filing Due Date for this form:
Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act of 1934, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001.	

<b>Certification - Agent / Carrier</b> <b>Data Collection Form</b>	FCC Form 481 OMB Control No. 3060-0986/OMB Control No. 3060-0819 July 2013
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<010> Study Area Code	391689
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<035> Contact Telephone Number - Number of person identified in data line <030>	6052445211
<039> Contact Email Address - Email Address of person identified in data line <030>	jreisenauer@sdplains.com

**TO BE COMPLETED BY THE REPORTING CARRIER, IF AN AGENT IS FILING ANNUAL REPORTS ON THE CARRIER'S BEHALF:**

<b>Certification of Officer to Authorize an Agent to File Annual Reports for CAF or LI Recipients on Behalf of Reporting Carrier</b>	
I certify that (Name of Agent) <u>Cassandra Heyne</u> is authorized to submit the information reported on behalf of the reporting carrier. I also certify that I am an officer of the reporting carrier; my responsibilities include ensuring the accuracy of the annual data reporting requirements provided to the authorized agent; and, to the best of my knowledge, the reports and data provided to the authorized agent is accurate.	
Name of Authorized Agent:	Cassandra Heyne
Name of Reporting Carrier:	WEST RIVER COOPERATIVE TEL. CO.
Signature of Authorized Officer:	CERTIFIED ONLINE Date: 10/11/2013
Printed name of Authorized Officer:	Jerry Reisenauer
Title or position of Authorized Officer:	General Manager
Telephone number of Authorized Officer:	605 244 5213
Study Area Code of Reporting Carrier:	391689 Filing Due Date for this form: 10/15/2013
Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act of 1934, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001.	

**TO BE COMPLETED BY THE AUTHORIZED AGENT:**

<b>Certification of Agent Authorized to File Annual Reports for CAF or LI Recipients on Behalf of Reporting Carrier</b>	
I, as agent for the reporting carrier, certify that I am authorized to submit the annual reports for universal service support recipients on behalf of the reporting carrier; I have provided the data reported herein based on data provided by the reporting carrier; and, to the best of my knowledge, the information reported herein is accurate.	
Name of Reporting Carrier:	WEST RIVER COOPERATIVE TEL. CO.
Name of Authorized Agent or Employee of Agent:	John Staurulakis, Inc
Signature of Authorized Agent or Employee of Agent:	CERTIFIED ONLINE Date: 10/11/2013
Printed name of Authorized Agent or Employee of Agent:	Cassandra Heyne
Title or position of Authorized Agent or Employee of Agent:	Senior Analyst
Telephone number of Authorized Agent or Employee of Agent:	3014597590
Study Area Code of Reporting Carrier:	391689 Filing Due Date for this form: 10/15/2013
Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act of 1934, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001.	

## Attachments

**West River Cooperative Telephone Company's Demonstration of Compliance with Applicable Service Quality Standards and Consumer Protection Rules:**

In establishing this certification in its *2005 ETC Order*,<sup>1</sup> the FCC found that an ETC must make “a specific commitment to objective measures to protect consumers.”<sup>2</sup> The FCC found that for wireless ETCs, compliance with CTIA’s Consumer Code for Wireless Service would satisfy this requirement” and that the sufficiency of other commitments would be considered on a case-by-case basis.<sup>3</sup> In this context, the FCC stated, “to the extent a wireline or wireless ETC applicant is subject to consumer protection obligations under state law, compliance with such laws may meet our requirement.”<sup>4</sup>

**West River Cooperative Telephone Company** (“Company”) hereby certifies that it is complying with applicable service quality standards and consumer protection rules. The Company is subject to consumer protection obligations under both federal and South Dakota state law. These obligations include, but are not limited to, the following: (1) filing a Local Exchange Tariff pursuant to the requirements of the South Dakota Administrative Rule 20:10:27:07 which discloses rates, terms and conditions of service to customers; (2) adherence to state requirements that the Company satisfies and certifies annually that it complies with consumer protection and service quality standards pursuant

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<sup>1</sup> *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Report and Order, FCC 05-46 (rel. Mar. 17, 2005) (“*2005 ETC Order*”).

<sup>2</sup> *Id.* at para. 28.

<sup>3</sup> *Id.* The FCC noted that under the CTIA Consumer Code, wireless carriers agree to: “(1) disclose rates and terms of service to customers; (2) make available maps showing where service is generally available; (3) provide contract terms to customers and confirm changes in service; (4) allow a trial period for new service; (5) provide specific disclosures in advertising; (6) separately identify carrier charges from taxes on billing statements; (7) provide customers the right to terminate service for changes to contract terms; (8) provide ready access to customer service; (9) promptly respond to consumer inquiries and complaints received from government agencies; and (10) abide by policies for protection of consumer privacy.” *Id.* at n. 71.

<sup>4</sup> *Id.* at n. 72.



to South Dakota Administrative Rules (20:10:32:54.06), including South Dakota Administrative Rules regarding transmittal of bills (20:10:07:03), billing requirements (20:10:34:09), billing disputes (20:10:07:04), refunds for service interruptions (20:10:07:05) service quality standards for local exchange companies (20:10:33), and notification of adverse changes in rates, terms, or conditions (South Dakota Codified Law 49-31-12.8); (3) truth-in-billing requirements, and (4) CPNI, Red Flag Rules and other applicable federal and state requirements governing the protection of customers' privacy.

The Company provides service in North Dakota and is subject to consumer protection obligations under North Dakota state law as a telecommunications carrier subject to North Dakota Public Service Commission regulation. These obligations include, but are not limited to, the following: (1) adherence to state requirements that the Company complies with consumer protection and service quality standards pursuant to North Dakota Administrative Code Article 69, including customer requests for lowest price service alternatives (69-09-05-01), discontinuance of telecommunications services (69-09-05-02), deposits and guarantees (69-09-05-03); (2) truth-in-billing requirements, and (3) CPNI, Red Flag Rules and other applicable state requirements governing the protection of customers' privacy.

The Company provides service in Montana and is subject to consumer protection and service quality obligations under Montana state law as a telecommunications carrier subject to Montana Public Service Commission regulation. These obligations include, but are not limited to, the following: (1) adherence to state requirements that the Company complies with consumer protection and service quality standards pursuant to Montana Public Service Regulations for provision information about lowest-cost services

(38.5.333), customer billing (38.5.3332), complaints and appeals (38.5.3335), customer trouble reports (38.5.3360), periodic tests, inspection, and preventative maintenance (38.5.3361); (2) truth-in-billing requirements, and (3) CPNI, Red Flag Rules and other applicable state requirements governing the protection of customers' privacy.

## **West River Cooperative Telephone Company's Demonstration of Ability to Function in Emergency Situations**

West River Cooperative Telephone Company ("Company") hereby certifies that it is able to function in emergency situations as set forth in §54.202(a)(2),<sup>1</sup> South Dakota Administrative Rule 20:10:32:54.07, North Dakota Administrative Code 69-09-05-12, and Montana Administrative Rule 38.5.3351. The Company's network is designed to remain functional in emergency situations without an external power source, is able to reroute traffic around damaged facilities, and is capable of managing traffic spikes resulting from emergency situations as required by Section 54.202(a)(2). The Company can change call routing translations as needed to reroute traffic around damaged facilities. Changing call routing translations will also allow the Company to manage traffic spikes throughout its network, as emergency situations require. The Company maintains a contingency plan to prevent or minimize service interruptions due to the catastrophic loss of a central office switch, toll switching office, or tandem switching office, pursuant to South Dakota Administrative Rule 20:10:33:18. The plan is available for review upon request.

Specifically, each central office building is supplied with standby generators and battery back-up that enable the central office to keep running until power is restored so long as fuel is available, or until system changes are made to reroute traffic. As required by South Dakota Administrative Rule 20:10:33:19, the Company's central office can

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<sup>1</sup> Section 54.202(a)(2) requires ETCs that are designated by the Commission to "demonstrate its ability to remain functional in emergency situations, including a demonstration that it has a reasonable amount of back-up power to ensure functionality without an external power source, is able to reroute traffic around damaged facilities, and is capable of managing traffic spikes resulting from emergency situations."

maintain 8 hours, plus or minus 15 percent, of battery reserve rated for peak traffic load requirements, and a permanent auxiliary or mobile power unit is installed which can be delivered and connected within four hours. The Company has battery backup at all office locations and in its electronic equipment sites capable of running for a minimum of 8 hours, plus or minus 15 percent, in compliance with the State rules. Length of run time is determined by the equipment serving the area and the number of customers working out of the equipment. Generators are installed at all Central Office locations. They will continue to run as long as the Company has access to fuel. The Company tests the batteries at least once per year.

*Letter placed  
under Restop - mixed  
Tribal*

December 14, 2012

Charles W. Murphy, Chairman  
Standing Rock Sioux Tribe  
P O Box D  
Fort Yates, ND 58538

Dear Mr. Murphy:

The Federal Communications Commission (FCC), as part of a recent Order reforming the federal universal service mechanisms related to telecommunications and information services, has adopted new requirements that are intended to facilitate engagement between telecommunications companies serving Tribal Lands. The FCC's new "Tribal Engagement" provisions are intended to improve communications and foster a greater understanding between service providers and Tribal entities of the factors necessary to deploy and sustain telecommunication services on Tribal lands. The ultimate aim is to benefit Tribal government leaders, carriers/service providers, and consumers living on Tribal lands by providing greater connectivity to 21st century economic opportunities, education, health care, and public safety. See FCC Public Notice, Office of Native Affairs and Policy, Wireless Telecommunications Bureau, and Wireline Competition Bureau Issue Further Guidance on Tribal Engagement Obligation Provisions of the Connect America Fund, DA 12-1165, released July 19, 2012.

Although the FCC's rules related to Tribal Engagement still await approval by the federal Office of Management and Budget (OMB) and will not legally take effect until that occurs, West River Cooperative Telephone Company would, as soon as possible, like to begin discussions with the Standing Rock Sioux Tribe in a manner consistent with the pending FCC rules. Accordingly, we would request a meeting with the Tribe. The purpose of this meeting will, generally, be to exchange information related to the deployment and provisioning of communications services on the Standing Rock Indian Reservation.

West River Cooperative Telephone Company, Bison, SD serves 68 customers in an approximately 333 square mile area in Corson County, SD and Sioux County, ND.

West River provides Broadband service to its members that reside within the confines of the Standing Rock Reservation over fiber-to-the-home and fiber-in-the-loop systems. (See enclosed map).

Presently 41 of the 68 customers subscribe to West River's Broadband service for a penetration rate of 60.3%.

West River also provides information on the Tribal Lifeline and Link Up Programs to all new customers and on its website.

Standing Rock Telecom. Comm.

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December 14, 2012

West River does not serve any anchor institutions within the confines of the Standing Rock Reservation.

In regard to this requested meeting, it is important that at least some of the individuals attending the meeting are "decision-makers." As noted in the FCC's July 19th Public Notice providing further guidance, "this engagement cannot be merely between sales and marketing individuals on one side and administrative staff or advisors on the other. The perspectives on needs, expectations, priorities, and abilities that would formulate meaningful exchange often can come only from those with the requisite authority to make decisions."

In hopes of soon proceeding with Tribal Engagement on these matters related to the provisioning of communications services on the Standing Rock Sioux Reservation, we ask at this time that the Standing Rock Sioux Tribe respond with the name and contact information for a Tribal representative who could assist in scheduling and arranging a meeting with the appropriate Tribal government staff and leaders to discuss the items referenced above. This information may be provided to the undersigned by calling (605) 244-5213, or through an e-mail directed to [jreisenauer@wrctc.com](mailto:jreisenauer@wrctc.com).

Thank you for your cooperation in this matter. We look forward to working with you to further foster the development of the tribal areas we serve.

Sincerely,



Jerry Reisenauer, General Manager

JR:gj

Enclosures

December 14, 2012

Mr. Kevin Keckler, Sr. Tribal Chairman  
Cheyenne River Sioux Tribal Government  
P O Box 590  
Eagle Butte, SD 57625

Dear Mr. Keckler:

The Federal Communications Commission (FCC), as part of a recent Order reforming the federal universal service mechanisms related to telecommunications and information services, has adopted new requirements that are intended to facilitate engagement between telecommunications companies serving Tribal Lands. The FCC's new "Tribal Engagement" provisions are intended to improve communications and foster a greater understanding between service providers and Tribal entities of the factors necessary to deploy and sustain telecommunication services on Tribal lands. The ultimate aim is to benefit Tribal government leaders, carriers/service providers, and consumers living on Tribal lands by providing greater connectivity to 21st century economic opportunities, education, health care, and public safety. See FCC Public Notice, Office of Native Affairs and Policy, Wireless Telecommunications Bureau, and Wireline Competition Bureau Issue Further Guidance on Tribal Engagement Obligation Provisions of the Connect America Fund, DA 12-1165, released July 19, 2012.

Although the FCC's rules related to Tribal Engagement still await approval by the federal Office of Management and Budget (OMB) and will not legally take effect until that occurs, West River Cooperative Telephone Company would, as soon as possible, like to begin discussions with the Cheyenne River Sioux Tribe in a manner consistent with the pending FCC rules. Accordingly, we would request a meeting with the Tribe. The purpose of this meeting will, generally, be to exchange information related to the deployment and provisioning of communications services on the Cheyenne River Indian Reservation.

West River Cooperative Telephone Company, Bison, SD serves eight customers in an approximately 57.4 square mile area in Ziebach County

West River provides Broadband over a fiber-to-the-home system on the Reservation (See enclosed map).

Presently seven of the eight customers subscribe to West River's Broadband service for a penetration rate of 87.5%.

West River purchases a business license from the Cheyenne River Sioux Tribe on an annual basis.

Mr. Kevin Keckler

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December 14, 2012

West River also provides information on the Tribal Lifeline and Link Up Programs to all new customers and on its website.

In regard to this requested meeting, it is important that at least some of the individuals attending the meeting are "decision-makers." As noted in the FCC's July 19th Public Notice providing further guidance, "this engagement cannot be merely between sales and marketing individuals on one side and administrative staff or advisors on the other. The perspectives on needs, expectations, priorities, and abilities that would formulate meaningful exchange often can come only from those with the requisite authority to make decisions."

In hopes of soon proceeding with Tribal Engagement on these matters related to the provisioning of communications services on the Cheyenne River Indian Reservation, we ask at this time that the Cheyenne River Sioux Tribe respond with the name and contact information for a Tribal representative who could assist in scheduling and arranging a meeting with the appropriate Tribal government staff and leaders to discuss the items referenced above. This information may be provided to the undersigned by calling (605) 244-5213, or through an e-mail directed to [jreisenauer@wrctc.com](mailto:jreisenauer@wrctc.com).

Thank you for your cooperation in this matter. We look forward to working with you to further foster the development of the tribal areas we serve.

Sincerely,



Jerry Reisenauer, General Manager

JR:gj

Enclosures



December 14, 2012

CRST Telecommunications Commission  
P O Box 590  
Eagle Butte, SD 57625

Gentlemen:

The Federal Communications Commission (FCC), as part of a recent Order reforming the federal universal service mechanisms related to telecommunications and information services, has adopted new requirements that are intended to facilitate engagement between telecommunications companies serving Tribal Lands. The FCC's new "Tribal Engagement" provisions are intended to improve communications and foster a greater understanding between service providers and Tribal entities of the factors necessary to deploy and sustain telecommunication services on Tribal lands. The ultimate aim is to benefit Tribal government leaders, carriers/service providers, and consumers living on Tribal lands by providing greater connectivity to 21st century economic opportunities, education, health care, and public safety. See FCC Public Notice, Office of Native Affairs and Policy, Wireless Telecommunications Bureau, and Wireline Competition Bureau Issue Further Guidance on Tribal Engagement Obligation Provisions of the Connect America Fund, DA 12-1165, released July 19, 2012.

Although the FCC's rules related to Tribal Engagement still await approval by the federal Office of Management and Budget (OMB) and will not legally take effect until that occurs, West River Cooperative Telephone Company would, as soon as possible, like to begin discussions with the Cheyenne River Sioux Tribe in a manner consistent with the pending FCC rules. Accordingly, we would request a meeting with the Tribe. The purpose of this meeting will, generally, be to exchange information related to the deployment and provisioning of communications services on the Cheyenne River Indian Reservation.

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CRST Telecom. Comm.

-2-

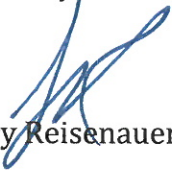
December 14, 2012

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In hopes of soon proceeding with Tribal Engagement on these matters related to the provisioning of communications services on the Cheyenne River Indian Reservation, we ask at this time that the Cheyenne River Sioux Tribe respond with the name and contact information for a Tribal representative who could assist in scheduling and arranging a meeting with the appropriate Tribal government staff and leaders to discuss the items referenced above. This information may be provided to the undersigned by calling (605) 244-5213, or through an e-mail directed to [jreisenauer@wrctc.com](mailto:jreisenauer@wrctc.com).

Thank you for your cooperation in this matter. We look forward to working with you to further foster the development of the tribal areas we serve.

Sincerely,



Jerry Reisenauer, General Manager

JR:gj

Enclosures

**REDACTED – FOR PUBLIC INSPECTION**

**WEST RIVER COOPERATIVE TELEPHONE COMPANY (SAC 391689)**

**ATTACHMENT - LINE 3017**

**ATTACHMENT REDACTED IN ENTIRETY**